

Dec 13, 2019

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

CHARLES JOSEPH REEVIS,

Petitioner,

v.

SPOKANE COUNTY DETENTION  
SERVICES, UNITED STATES OF  
AMERICA, and EASTERN  
DISTRICT OF WASHINGTON,

Respondent.

NO: 2:19-CV-290-RMP

ORDER OF DISMISSAL WITHOUT  
PREJUDICE

By Order filed October 22, 2019, the Court directed Petitioner to comply with Rule 3(a), Rules Governing Section 2254 Cases in the United States District Courts, by submitting a completed *in forma pauperis* application. In the alternative, Petitioner was advised that he could pay the full \$5.00 filing fee. Petitioner was advised that his failure to do so would result in the dismissal of this case.

Petitioner filed this action while incarcerated at the Spokane County Detention Services. However, the copy of the Court's October 22, 2019 Order was

1 returned with the notation, "Not in Jail." ECF No. 5. Moreover, Petitioner has  
2 neither paid the filing fee nor sought *in forma pauperis* status.

3 Accordingly, **IT IS ORDERED** that this action is **DISMISSED**  
4 **WITHOUT PREJUDICE** for failure to comply with the filing fee or *in forma*  
5 *pauperis* requirements of Rule 3(a), Rules Governing Section 2254 Cases in the  
6 United States District Courts.

7 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this  
8 Order, enter judgment, provide a copy to Petitioner at his last known address, and  
9 close the file. The Court certifies that any appeal from this decision could not be  
10 taken in good faith, and there is no basis upon which to issue a certificate of  
11 appealability. 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b). A certificate of  
12 appealability is therefore **DENIED**.

13 **DATED** December 13, 2019.

14  
15 *s/ Rosanna Malouf Peterson*  
16 ROSANNA MALOUF PETERSON  
17 United States District Judge  
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